



COUNTY OF LOS ANGELES
Public Health

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July 24, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF ORDINANCE AMENDMENT TO LOS ANGELES COUNTY CODE
TITLE 8, CONSUMER PROTECTION AND BUSINESS REGULATIONS AND TITLE
11, HEALTH AND SAFETY, RELATING TO CHILDREN'S CAMPS, HAWKERS,
BOARDING HOMES, INSTITUTIONS, WHOLESALE FOOD ESTABLISHMENTS AND
VEHICLES, AND WATER AND SEWERS
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

Introduce, waive reading and place the attached ordinance on the subsequent agenda for adoption, amending Los Angeles County Code (LACC) Title 8, Consumer Protection and Business Regulations, by establishing a wholesale food market complex annual fee of \$354.00, effective 30 calendar days after the passage of this action and amending LACC Title 11, Health and Safety, by establishing standards for wholesale food establishments and vehicles, establishing food handler's training certification standards, deleting references to retail food facilities and vehicles, deleting Chapter 11.18 Hawkers, and making other technical changes.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On February 6, 2007, the Board approved two motions by Supervisors Antonovich and Yaroslavsky concerning unsafe food storage practices at the 7th Street Wholesale Produce Market. One of the items in the motion involved changes to County regulations and/or codes related to licensing, inspection and enforcement of wholesale produce facilities. The proposed amended ordinance addresses these issues.

Unlike retail food establishments and vehicles, wholesale food establishments, such as the 7th Street Produce Market are not covered in State law and minimally in the current LACC. In approving this Board action, the Board is allowing the Department of Public Health's (DPH) Environmental Health Division to amend LACC Title 11, Health and Safety, and Title 8, Consumer Protection and Business Regulations, to establish requirements for wholesale food establishments and vehicles. The proposed amended ordinance also provides for a food handler's training certification program for wholesale food establishments.

In addition, to ensure that owners/operators of wholesale food market complexes are accountable for the common areas of the complex under their control, a public health permit for wholesale food market complexes is proposed. This provides additional leverage for enforcement. The inspection of wholesale food market complexes will include common areas under the control of the complex operator, such as trash, storage, janitorial, and restroom facilities. The proposed \$354 fee for the public health permit covers the cost for the inspection of the complex.

DPH's Environmental Health Division performs mandated regulatory activities related to food, housing, water, liquid and solid waste, and vectors. State and local health and safety codes provide for the authority to carry out these regulatory activities, which are offset through the collection of license, permit, and other service fees.

Implementation of Strategic Plan Goals

The proposed \$354 public health permit fee meets the County's Strategic Plan Goal of Fiscal Responsibility by allowing DPH to secure the appropriate cost-based reimbursement for the services provided by DPH's Environmental Health Division.

FISCAL IMPACT/FINANCING

Public health permit fees currently exist for wholesale food markets and wholesale independent vehicles. A public health permit fee of \$354 is proposed to cover the costs for the inspection of the facility/complex from which individual wholesale food markets sell food. The inspection of these wholesale food market complexes will cover common areas, such as trash, storage, janitorial, and restroom facilities under the control of the wholesale food complex operator. DPH's Environmental Health Division currently inspects 11 of these complexes annually, which will result in a total revenue collection of \$3,894, should the \$354 permit fee be approved.

Provisions within the LACC limit all fees to cost recovery only.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In response to one of the items in the February 6, 2007, motion by Supervisors Antonovich and Yaroslavsky, DPH and County Counsel reviewed the County regulations and/or codes related to licensing, inspection and enforcement of wholesale produce facilities. If approved, the proposed ordinance would amend the Los Angeles County Code as follows:

In LACC, Title 8, Chapter 8.04, Public Health Licenses, wholesale food market complexes would be defined and an inspection fee would be established.

In LACC, Title 11, Chapter 11.12, Food Handling, would be amended to provide specific procedural criteria for the inspection of wholesale food establishments, incorporating the principles of food safety found in current editions of the Food Sanitation Act, the Current Good Manufacturing Practices described in the Code of Federal Regulations, and the California Health and Safety Code, Division 104, Part 7.

The proposed changes to Chapter 11.12 would remove all references to restaurants, other retail food facilities, children's camps and institutions.

Restaurants and other retail food facilities are regulated by the California Health and Safety Code, Division 104, Part 7. Omitting these references from Chapter 11.12 creates no substantive change.

In Chapter 11.08, Children's Camps, Chapter 11.24, Institutions, and Chapter 11.20, Housing, reference specific sections of the current Chapter 11.12. These references are being deleted from these three chapters, as the State already provides standards and regulations for these types of facilities. LACC Chapter 11.18, Hawkers, will be deleted in its entirety as it is obsolete. Food hawkers are regulated under California Health and Safety Code, Division 104, Part 7.

In LACC, Title 11, Chapter 11.13, Cleaning and Storage of Retail Food Vehicles would be amended to regulate wholesale (instead of retail) food vehicles. Standards for retail food vehicles are codified in the California Health and Safety Code.

Pursuant to Government Code, Section 66018, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors, before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code, Section 6062a.

Attachment A provides additional information.

Honorable Board of Supervisors
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Exhibit I has been reviewed and approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

If the ordinance amendment is approved, DPH's enforcement capability with wholesale food establishments and vehicles will be strengthened. DPH will provide routine inspections of wholesale food establishments and vehicles an average of two times per year, with frequency predicated on risk, based on the results of past performance and the physical configuration of the facility. With a public health permit requirement for wholesale food market complexes, owners/operators can be held accountable for non-compliance with health, safety and sanitation codes.

CONCLUSION

When approved, it is requested that the Executive Officer of the Board of Supervisors return four stamped copies of the adopted Board letter and ordinances to: Department of Public Health, Director of Environmental Health Division, 5050 Commerce Drive, Baldwin Park, CA 91706.

Respectfully submitted,



Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

JEF:im

Attachments (2)

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

BLTR/PN00189
6/27/07

SUMMARY OF ORDINANCES1. TYPE OF SERVICE:

Environmental Health is a regulatory agency within the DPH that performs mandated services related to food, housing, water, liquid and solid waste, and vectors. State and local health and safety codes provide for the authority to carry out regulatory activities that promote a safe and healthy environment, which are offset by the collection of license/permit and other service fees.

2. AGENCY ADDRESS AND CONTACT PERSON:

Department of Public Health
Environmental Health
5050 Commerce Drive
Baldwin Park, California 917076
Attention: Terrance Powell, Acting Deputy
Telephone: (626) 430-5100 Facsimile: (626) 813-3000

3. TERM OF AGREEMENT:

Not applicable.

4. FINANCIAL IMPACT/FINANCING:

Public Health Permit fees currently exist for wholesale food markets and wholesale independent vehicles. A Public Health Permit fee of \$354 is proposed to cover the costs for the inspection of the overall facility/complex from which individual wholesale food markets sell. The inspection of these wholesale food market complexes will cover common areas, such as trash, storage, janitorial, and restroom facilities under the control of the wholesale food complex operator. Currently, DPH's Environmental Health has eleven of these complexes in its inventory for a total amount of \$3,894 annual revenue (\$354 annually for each site).

Provisions within the LACC limit all fees to cost recovery only.

5. GEOGRAPHIC AREA TO BE SERVED:

Countywide.

6. ACCOUNTABLE FOR MONITORING AND EVALUATION:

Terrance Powell, Acting Deputy
Environmental Health

7. APPROVALS:

Public Health Programs:	John F. Schunhoff, Ph.D., Chief Deputy Director
Contract Administration:	Gary T. Izumi, Division Chief
County Counsel (approval as to form)	Christina Salseda, Senior Deputy County Counsel

ANALYSIS

This ordinance amends Title 8 - Consumer Protection and Business Regulations, related to Public Health Licenses, and Title 11 - Health and Safety of the Los Angeles County Code, relating to Children's Camps, Food Handler's Training Certification, Food Handling, Cleaning and Storage of Retail Food Vehicles, Hawkers, Housing, Institutions, Wholesale Food Establishments, Independent Wholesale Vehicles, and Water and Sewers by:

- Establishing health and sanitation standards for wholesale food establishments and independent wholesale food vehicles;
- Establishing a permit fee for wholesale food complexes;
- Establishing a wholesale food safety certification standards;
- Deleting references from Title 11 dealing with retail food facilities and vehicles;
- Deleting Chapter 11.18 Hawkers in its entirety; and
- Making other technical, non-substantive changes.

RAYMOND G. FORTNER, JR.
County Counsel

By 
CHRISTINA A. SALCEDA
Senior Deputy County Counsel
Health Services Division

CAS:vn

ORDINANCE NO. _____

An ordinance amending Title 8 - Consumer Protection and Business Regulations related to Public Health Licenses, and Title 11 - Health and Safety of the Los Angeles County Code, relating to Children's Camps, Food Handler's Training Certification, Food Handling, Cleaning and Storage of Retail Food Vehicles, Hawkers, Housing, Institutions, Wholesale Food Establishments, Independent Wholesale Vehicles, and Water and Sewers by establishing health and sanitation standards for wholesale food establishments and independent wholesale food vehicles; establishing a permit fee for wholesale food complexes; establishing a wholesale food safety certification standards; deleting references from Title 11 dealing with retail food facilities and vehicles; and deleting Chapter 11.18 Hawkers in its entirety.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.155 is hereby added to read as follows:

8.04.155 Food market complex, wholesale.

Food market complex, wholesale, means any establishment, its contents, and the contiguous land or property that rents, leases or lends facilities within said establishment, for the purpose of conducting business as a food market, wholesale. A food market complex, wholesale, that rents, leases or lends space to no more than two food market, wholesale, facilities, or dedicates a combined total of less than 1500 square feet for the purpose of operating a food market, wholesale, is exempt from this definition.

SECTION 2. Section 8.04.160 is hereby amended to read as follows:

8.04.160 Food market, wholesale.

A. ~~"Wholesale f~~Food market, wholesale" means any establishment, other than a slaughterhouse, from which food is sold for resale by others, as further defined in Section 11.12.005 (S).

B. ~~"Wholesale food market," however, shall not include any "food processing establishment," as defined in Section 8.04.170, or any "food salvager," as defined in Section 8.04.180.~~

SECTION 3. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

...

Food market, wholesale	527.00
Reinspection	202.00
Food market complex, wholesale	354.00
Food processing establishment:	
Less than 2,000 square feet of food preparation rooms	899.00
2,000 to 5,999 square feet of food preparation rooms	1,554.00

...

SECTION 4. Section 11.08.030 is hereby amended to read as follows:

11.08.030 General requirements -- Compliance required.

Children's camps shall comply with the requirements of the California Health and Safety Code, Division 13, Part 2.3, Camps, and the California Code of Regulations, Title

~~17, Subchapter 6, Organized Camps sections provisions of Part 2 of Chapter 11.02 and Sections 11.12.010, 11.12.030 through 11.12.060, 11.12.090 through 11.12.130, 11.12.160, 11.12.180 through 11.12.240, 11.12.260, 11.12.270, 11.12.300 and 11.12.320 of this code.~~

SECTION 5. Chapter 11.11 is hereby amended to read as follows:

Chapter 11.11 ~~Food Handler's Training Certification~~ Wholesale Food Safety Certification

SECTION 6. Section 11.11.010 is hereby amended to read as follows:

11.11.010 Definitions.

As used in this chapter:

A. "Certified food handler" means an owner, operator, or any other person who possesses a current and valid food safety certificate and at least 18 years of age who supervises all or part of ~~the~~ a wholesale food establishment's service operations ~~within a food service operation and is responsible for training the operation's employees in the areas set forth in Section 11.11.040. At the discretion of the director, and upon a showing of good cause, the director may waive the requirement that a certified food handler be at least 18 years of age.~~

B. "Department" means the county of Los Angeles, Department of Public Health.

C. "Director" means the director of the Department of Public Health or his duly authorized designee.

D. "Food safety handler's training certificate" means a the certificate issued by the department, certifying that an individual a food handler has satisfactorily met the requirements set forth in Section 11.11.030, and demonstrated competency in food safety by passing an approved and accredited food safety certification examination as specified in Section 11.11.040 ~~protection and practices by passing a written examination administered by the department or by completing a food handler's training course approved by the director.~~

~~E. "Food service operation" means any food service business which prepares any potentially hazardous food on the premises for sale or gift to the public and includes but is not limited to all restaurants, markets, bakeries, mobile food preparation units, commissaries, and food processing establishments.~~

E.F. "Potentially hazardous food" means those foods as defined in section 11.12.005 (Z) ~~set forth in California Health and Safety Code Section 113845 as it currently exists or hereafter may be amended.~~

SECTION 7. Section 11.11.020 is hereby amended to read as follows:

11.11.020 Application and effect.

A. ~~Within one year of the effective date of the ordinance codified in this chapter,~~ Each wholesale food establishment service operation as defined in Section

~~11.11.010~~12.005 (JJ) shall have at least one certified food handler on the premises at all times during ~~operating hours~~ of operation.

B. Wholesale food establishment owners / operators who operate more than one wholesale food establishment shall be required to have at least one certified food handler at each wholesale food establishment at all times during hours of operation.

C. Failure to have a certified food ~~service~~ handler on site at all times during the ~~operating hours of~~ operation of the any wholesale food establishment ~~service operation and as specified in this section within one year from the effective date of this chapter,~~ shall be grounds for the suspension or revocation of the wholesale food establishment's operation's public health permit~~license~~ pursuant to the applicable provisions of Chapter 8.04 of this code and shall be punishable as set forth in Section 8.04.930.

SECTION 8. Section 11.11.030 is hereby amended to read as follows

11.11.030 Procedure for obtaining a food handler's training certificate.

A. Every person desiring a food safety certificate ~~certification as a certified food handler~~ shall file with the department an application for certification, ~~accompanied by an application fee.~~ Upon application, each person desiring certification shall provide:

1. ~~Proof of successful completion of a food handler's training course approved by the department;~~

21. A current and valid food handler's training certificate issued by an accredited entity which indicates passage of an approved and accredited food safety

certification examination as specified in Section 11.11.040; developed and administered by The Center for Occupational and Professional Assessment of the Educational Testing Service; and or

32. Any other food handler's training certificate which, in the discretion of the director, is equivalent to either (1) or (2) above. A current and valid photo identification of the applicant including but not limited to a state issued driver license or United States passport.

~~B. In the alternative to the procedure set forth in subsection A, any person desiring certification as a certified food handler, upon payment of an examination fee, may take an examination administered by the department. The department shall certify only those persons who receive a score of 75 percent or higher on its examinations. The payment of any examination fee shall be in addition to the application fee set forth in this section.~~

B. Persons who have had their food safety certificate revoked by the department, and desire recertification, shall file with the department an application for recertification. Upon application, each person desiring recertification shall provide:

1. A current and valid certificate issued by an accredited entity which indicates passage of an approved and accredited food safety certification examination as specified in Section 11.11.040 on a date following the date of revocation of the certificate by the department.

2. A current and valid photo identification of the applicant including but not limited to a state issued driver license or United States passport.

SECTION 9. Section 11.11.040 Food handler's training course is hereby deleted in its entirety.

SECTION 10. Section 11.11.040 is hereby added to read as follows:

11.11.040 Approved and accredited examination.

A. The food safety certification examination shall include, but need not be limited to, all of the following elements of knowledge:

1. Foodborne illness, including terms associated with foodborne illness, micro-organisms, hepatitis A, and toxins that can contaminate food and the illness that can be associated with contamination, definition and recognition of potentially hazardous foods, chemical, biological, and physical contamination of food, and the illnesses that can be associated with food contaminations, and major contributing factors for foodborne illness.
2. The relationship between time and temperature with respect to foodborne illness, including the relationship between time and temperature and micro-organisms during the various food handling preparation, and serving states, and the type, calibration, and use of thermometers in monitoring food temperatures.
3. The relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and food employee health to foodborne illness, and the recognition of how policies, procedures, and management contribute to improved food safety practices.

4. Methods of preventing food contamination in all states of food handling, including terms associated with contamination and potential hazards prior to, during, and after delivery.

5. Procedures for cleaning and sanitizing equipment and utensils.

6. Problems and potential solutions associated with facility and equipment design, layout, and construction.

7. Problems and potential solutions associated with temperature control, preventing cross-contamination, housekeeping, and maintenance.

B. Food safety certification examinations shall be developed by certification organizations accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of the Conference for Food Protection Manager Certification Programs." Persons who successfully pass an approved certification examination shall be issued a certificate by the certifying organization. The issuance date for each original certificate issued pursuant to this section shall be the date when the individual successfully passes the examination.

SECTION 11. Section 11.11.050 Multiple food service operations is hereby deleted in its entirety.

SECTION 12. Section 11.11.060 is hereby amended to read as follows:

11.11.060 Exemptions.

Wholesale ~~Food service operations establishments~~ which deal exclusively in with non-potentially hazardous pre-packaged food and beverages or wholesale food ~~service operations establishments~~ required by the department to have only temporary operating permits shall be exempt from the provisions of this chapter.

SECTION 13. Section 11.11.070 is hereby amended to read as follows:

11.11.070 ~~Display of~~ Food safety handler's training certificate:
availability.

The original food ~~safety handler's training~~ certificate shall be retained on file at the wholesale food establishment at all times and shall be made available for inspection by the department upon request~~posted in a conspicuous place within the food service operation, or in a location designated and approved by the director.~~

SECTION 14. Section 11.11.080 Change of certified food handler is hereby deleted in its entirety.

SECTION 15. Section 11.11.080 is hereby added to read as follows:

11.11.080 Compliance with certified food handler requirement.

A wholesale food establishment that commences operation, changes ownership, or no longer has a certified food handler, shall have 60 days to comply with this subdivision.

SECTION 16. Section 11.11.090 List of certified food handlers is hereby deleted in its entirety.

SECTION 17. Section 11.11.100 is hereby amended to read as follows:

11.11.100 Expiration.

The food safety handler's training certificate shall be valid for five ~~four~~ years from the date of passing an approved and accredited food safety certification examination as specified in Section 11.11.040~~issuance~~. Upon the expiration or revocation of the food safety handler's training certificate, all persons must reapply for a new certificate according to the procedure set forth in Section 11.11.030.

SECTION 18. Section 11.11.110 Duplicate food handler's training certificate is hereby deleted in its entirety.

SECTION 19. Section 11.11.110 is hereby added as follows:

11.11.110 Responsibilities of a certified food handler.

A certified food handler at a wholesale food establishment shall be responsible for the safety of food preparation and service, by ensuring that all employees who handle, or have responsibility for handling non-prepackaged foods of any kind, have sufficient knowledge to ensure the safe preparation or service of the food, or both. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties related to food safety issues.

SECTION 20. Section 11.11.120 is hereby amended to read as follows:

11.11.120 Suspension~~Revocation~~ of food safety~~handler's training~~ certificate.

A. The director may immediately ~~suspend~~revoke any food safety~~handler's training~~ certificate when any of the following ~~is~~conditions are found to exist within a wholesale food establishment service operation which is operated by or under the supervision of ~~a~~the certified food handler:

1. Evidence indicating repeated or continuing violations of required procedures and practices in the preparation, service, storage, distribution or sale of food ~~or beverage~~ offered for public consumption;

2. Any condition detrimental to the public health, which shall include but not be limited to, any condition that can cause food infection, food intoxication, disease transmission or any hazardous condition including, but not limited to, unsafe food temperature; or

3. Evidence indicating falsification of information required by the department for issuance of the food safety~~handler's training~~ certificate.

B. The director shall issue a notice to the certified food handler setting forth the acts or omissions with which he or she is charged and informing him or her of the right to a hearing, if requested, to show just cause why the certificate should not be ~~reinstated~~revoked.

SECTION 21. Section 11.11.130 is hereby amended to read as follows:

11.11.130 Right to appeal following suspension~~revocation~~.

A. Any certified food handler whose food safety certificate has been ~~suspended~~~~revoked~~ may make a written request for hearing within 15 calendar days after receipt of the notice specified in Section 11.11.120 to show just cause why the certificate should not be ~~reinstated~~~~revoked~~. A failure to request a hearing within 15 calendar days after receipt of the notice shall be deemed a waiver of the right to a hearing. When circumstances warrant, the director may order a hearing at any reasonable time within this 15 day period to expedite the certification revocation process.

B. The hearing shall be held within 15 calendar days of the receipt of the request for a hearing. Upon written request of the certified food handler, the director may postpone any hearing date, if circumstances warrant such action.

C. The director~~An environmental health services manager for the department~~ shall preside over any hearing requested under this section.

SECTION 22. Section 11.11.140 is hereby amended to read as follows:

11.11.140 Notice of decision.

A. The director shall issue a written notice of decision to the certified food handler within five business~~working~~ days of the hearing. The notice of decision shall specify the acts or omissions with which the certified food handler is charged and shall specify either that the food safety certificate ~~remains~~has been revoked or that it has

been reinstated. If the food safety certificate has been reinstated, the notice of decision shall set forth any criteria which must be met to maintain the certified food handler's food safety certificate.

B. Persons who have had their food safety certificate revoked may file with the department, an application for recertification as specified in Section 11.11.030 (B).

SECTION 23. Chapter 11.12 is hereby amended as follows:

Chapter 11.12 ~~Foodhandling~~Wholesale Food Establishments

SECTION 24. Section 11.12.005 is hereby added to read as follows:

11.12.005 Definitions.

The following words and phrases shall apply to this Chapter, irrespective of their use in other Chapters of Division 1 of this Title:

A. "Adulterated" means having been made impure by the addition of any poisonous or deleterious substance; or in the case of food, foodstuffs that have been produced, prepared, packed, or held under unsanitary conditions whereby it may have become contaminated or rendered unwholesome, diseased, or injurious to health; or when not prepared, packed, and held in accordance with the Current Good Manufacturing Practices (GMP's), 21 CFR Part 110.

B. "Approved" means approved by the director based upon a determination of conformity with applicable laws, or in the absence of applicable laws, with current public health principles, practices, and generally recognized industry standards that protect the public health.

C. "Approved source" means a producer, manufacturer, distributor, transporter, or food establishment that is acceptable to the enforcement agency based upon a determination of conformity with applicable laws, or in the absence of applicable laws, with current public health principles and practices, and generally recognized industry standards that protect public health.

D. "Clean-In-Place (CIP)" means to clean in place by the circulation or flowing by mechanical means through a piping system of a detergent solution, water rinse, and sanitizing solution onto or over equipment surfaces that require cleaning. ("CIP" does not include the cleaning of equipment such as band saws, slicers or mixers that are subjected to in-place manual cleaning without the use of CIP system.)

E. "Commissary" means a wholesale food establishment in which food, containers, equipment, or supplies are stored or handled; food is prepared or prepackaged for sale; utensils are washed; liquid and solid wastes are disposed of; or potable water is obtained for use in mobile food facilities.

F. "Common Area" refers to all community aspects of a food market complex, wholesale, under the control of the food market complex, wholesale owner/operator. Common areas include, but are not limited to, community toilet rooms,

mop sinks, handwashing facilities, community trash receptacles and collection services, drinking fountains, loading areas, parking lots, staging facilities, and security.

G. "Control Point" means any distinct procedure or step in receiving, storing, handling, preparing, displaying, transporting or dispensing food.

H. "County Health Officer" means the director of the Department of Public Health of the county of Los Angeles.

I. "Critical Control Point" means a point or procedure in a specific food system where loss of control may result in an unacceptable health risk.

J. "Critical Limit" means the maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point in order to minimize the risk that the identified food safety hazard may occur.

K. "Current Good Manufacturing Practices (GMP's)" refers to the Current Good Manufacturing Practices for Manufacturing, Packing, or Holding of Human Food described in Title 21 of the Code of Federal Regulations, Part 110.

L. "Department" means the Los Angeles County Department of Public Health.

M. "Director" means the director of the Los Angeles County Department of Public Health or his/her duly authorized designee.

N. "Employee" means the permit holder, person in charge, person having supervisory or management duties, family member, volunteer, person performing work under contractual agreement, or other person engaged in the preparation, dispensing, handling of food or food products in a wholesale food establishment.

O. "Food" means any raw or processed substance, ice, beverage (including alcoholic beverages), water or any ingredient intended for use as food, drink, confection or condiment for human or animal consumption and chewing gum.

P. "Food-Contact Surface" means a surface of equipment or utensil with which food normally comes into contact; or a surface of equipment or utensil from which food may drain, drip, or splash into a food or onto a surface normally in contact with food.

Q. "Food Market Complex, Wholesale" means an establishment, its contents, and the contiguous land or property that rents, leases, or lends facilities within said establishment, for the purpose of conducting business as a food market, wholesale. A food market complex, wholesale, that rents, leases, or lends space to no more than two food market, wholesale, or dedicates a combined total of less than 1500 square feet for the purpose of operating as a food market, wholesale, is exempt from this definition.

R. "Food Market Complex, Wholesale Owner / Operator" refers to the legal entity, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, syndicate, city, county or other political subdivision, individually or collectively, acting as the food market complex, wholesale.

S. "Food Market, Wholesale" means a food establishment in which food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination. A food market, wholesale shall

not be permitted to conduct sales at the retail level nor process food. Food market, wholesale shall not include any food salvaging activities and shall not conduct any food processing within its facility.

T. "Food Processing Establishment" means any room, building, place or portion thereof, maintained, used or operated for the purpose of commercially packaging, making, cooking, baking, mixing, processing, bottling, canning, slaughtering, salvaging, storing or otherwise preparing or handling food including ice, for human or animal consumption, which is not offered for retail sale or gift on the premises.

U. "HACCP" means Hazard Analysis Critical Control Point.

V. "HACCP Plan" means a written document that delineates the formal procedures for following the Hazard Analysis Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

W. "Hazard" means a biological, chemical, or physical property that may cause an unacceptable public health risk.

X. "Multiple-Use Utensil" means any cup, plate, fork, spoon, knife, container or other instrument constructed to be used more than once in the preparation, storage, display, serving or consumption of food.

Y. "Owner / Operator" refers to the legal entity, any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, syndicate, city, county, or other political subdivision individually or collectively, acting as the wholesale food establishment.

Z. Potentially hazardous food.

(1) "Potentially hazardous food" means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:

- (a) The rapid and progressive growth of infectious or toxigenic microorganisms;
- (b) The growth and toxin production of *Clostridium botulinum*; or
- (c) In raw shell eggs, the growth of *Salmonella enteritidis*.

(2) "Potentially hazardous food" includes a food of animal origin that is raw or heat-treated; a food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; and garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified under subdivisions of this definition.

(3) "Potentially hazardous food" does not include;

- (a) A food with a water activity level (a_w) value of 0.85 or less;
- (b) A food with a pH level of 4.6 or below when measured at 75°F;
- (c) A shell egg that is not hard-boiled but has been treated to destroy all viable *Salmonella*;
- (d) A food in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution; and

(e) A food that has been shown by appropriate microbial challenge studies approved by the enforcement agency not to support the rapid and progressive growth of infectious or toxigenic microorganisms that may cause food infections or food intoxications, or the growth and toxin production of *Clostridium botulinum*, such as a food that has an a_w and a pH that are above the levels specified under subdivision (3), paragraphs (a) and (b) of this definition and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.

(f) A food that does not support the growth of microorganisms even though the food may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

AA. "Premises" means the wholesale food establishment, its contents, and the contiguous land or property and its facilities and contents that are under the control of the owner / operator.

BB. "Produce" refers to any raw or processed substance of plant origin intended to be used as food, drink, confection or condiment for human consumption.

CC "Remodel" means construction, building, or repair to the wholesale food establishment that requires a permit from the local building authority. Remodel also means any replacement or significant modification of an integral piece of equipment.

DD. "Single-Use Utensil" means a utensil that is manufactured and approved for use only once and that shall be discarded after use. Single-use utensils shall be made of paper, wood, plastic or other sanitary material approved by the director.

EE. "Shellfish Control Authority" means a state, federal, foreign, tribal, or other government entity legally responsible for administering a program that includes certification of Molluscan Shellfish harvesters and dealers for interstate commerce.

FF. "Shellstock" means raw, in-shell Molluscan Shellfish.

GG. "Sanitation Standard Operating Procedures (SSOP's)" describe all procedures that a wholesale food establishment will conduct daily, before, during, and after operations, sufficient to prevent direct contamination or adulteration of food product(s).

HH. "Source Records" means all records, including, but not limited to, invoice copies, shipping documents, or other materials providing verification of the source of food products received, stored, and/or prepared for sale or distribution at the wholesale food establishment.

II. "Tenant Space" refers to the segregated subdivisions of the food market complex, wholesale rented or leased to individual operators, for the purpose of operating a food market, wholesale.

JJ. "Wholesale Food Establishment" means an establishment where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination; and/or operated for the purpose of commercially packaging, making, cooking, baking, mixing, processing, bottling, canning, slaughtering, salvaging, storing or otherwise preparing or handling food including ice, for human or animal consumption, which is not offered for retail sale or gift on the premises; or a commissary.

SECTION 25. Section 11.12.010 is hereby amended to read as follows:

11.12.010 Buildings -- Requirements for food operations.

It is unlawful to operate a ~~restaurant, wholesale food processing establishment, or slaughterhouse~~ unless such operation shall consist of, or be located within, one or more buildings, and all food is stored and prepared in one or more of such buildings. All such buildings shall be of sound construction and maintained so as to provide proper drainage, plumbing, lighting and ventilation, and so as to exclude dirt, dust, moisture, flies, rodents and all vermin at all times. All rooms within a wholesale food establishment ~~used for the storing, preparing or serving of food in such buildings~~ shall be ~~at least eight feet in height, measured from the surface of the finished floor to the underside of the ceiling~~ constructed consistent with the requirements of the local building codes.

SECTION 26. Section 11.12.015 is hereby added as follows:

11.12.015 Compliance with applicable codes.

Any construction, alteration, remodeling or operation of a wholesale food establishment shall be approved by the director and shall be in accordance with all applicable local, state, and federal statutes, regulations, and ordinances, including but not limited to, fire, building and zoning codes.

SECTION 27. Section 11.12.020 is hereby amended to read as follows:

11.12.020 Buildings - Plans and specifications for construction or modifications.

A. The director ~~may~~shall require from the owner or operator submission of plans, specifications and such other information as may be necessary prior to the construction, or prior to making any additions or modifications of, ~~a restaurant, itinerant restaurant or a wholesale~~ food establishment or children's camp food facility for which a building permit is required.

B. ~~When the director requires submission of plans and specifications,~~It shall be unlawful for any person to construct or make any additions or modifications of a ~~restaurant, itinerant restaurant or~~wholesale food establishment without first receiving approval in writing from the director.

SECTION 28. Section 11.12.030 is hereby amended to read as follows:

11.12.030 Water supply.

A. All water supplies used by ~~restaurants, itinerant restaurants, temporary refreshment stands, vending machines, hawkers' vehicles,~~ wholesale food establishments, ~~slaughterhouses, children's camps and institutions~~ shall be of adequate amount, and of a safe, sanitary quality, and from a source and distribution system approved by the county health officer. Any potable water supply shall be protected with a backflow or back-siphonage protection device as required by applicable plumbing codes. Wholesale food establishments shall be supplied with an adequate

supply of both hot (minimum of 120 degrees Fahrenheit) and cold running water under pressure, at all times.

B. All plumbing shall be installed according to the California Code of Regulations, Title 24, Part 5, California Plumbing code, as it currently exists or hereafter may be amended, and shall be protected from backflow, kept clean, fully operative, and in good repair.

C. Any hose used for conveying potable water shall be constructed of nontoxic materials, shall be used for no other purpose, and shall be clearly labeled as to its use. The hose shall be stored and used to be maintained free of contamination.

SECTION 29. Section 11.12.040 is hereby amended to read as follows:

11.12.040 Walls, floors and ceilings.

A. The walls and ceilings of all rooms where food is prepared or packed; ~~or~~ where utensils are washed; ~~where refuse or garbage is stored;~~ where janitorial facilities are located; and all toilet rooms, dressing or locker rooms; and walk-in refrigeration/freezer units shall have surfaces be constructed of plaster, tile, cement, metal, ~~plastic~~ wall board or other approved material. All surfaces shall be finished with tile, metal, plastic, semi-gloss paint, or other manufactured material which is smooth, easily cleanable, and impervious to moisture and grease, and capable of withstanding repeated washing, ~~or shall be kept well painted with paint of such quality that will render such walls and ceilings and their surfaces smooth, impervious to moisture and grease, in sound condition and capable of withstanding repeated washing.~~ Moreover, aAll such

walls and ceilings shall be of a light color and be approved by the director. Walls and ceilings shall be maintained clean and in good repair. This subdivision shall not apply to areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers or to office spaces.

B. The floor surfaces in all rooms in which food or beverage is stored or prepared, utensils are washed, or refuse or garbage is stored, and the floor surfaces of toilet, dressing or locker rooms, and of walk-in refrigerators, shall be of such construction and material as to be easily cleaned. They shall be smooth, in good repair, and kept clean so as to be smooth, impervious to moisture, grease, and corrosives and easily cleanable. A minimum six-inch (6") high, approved cover base, with a minimum three-eighths inch (3/8") radius, shall be provided at the juncture of the wall and floor. All floors shall be maintained smooth, in good repair, and kept clean.

1. Floor drains shall be installed in all rooms where food is prepared or packaged; where utensils are washed; where a refuse enclosure is located inside the premises; in those areas where pressure spray methods for cleaning equipment (CIP) are used; and rooms in which floors are water-flushed for cleaning. Floor surfaces in these areas shall be sloped 1/8" per foot (1:100) to the floor drains, or as approved by the director.

2. Floor sinks shall be properly plumbed and installed, with the sink top flush with the floor surface in accordance with California Code of Regulations, Title 24, Part 5, California Plumbing Code. All condensate and similar liquid waste shall be drained by means of an indirectly connected, rigid, waste line, into open floor sinks.

Horizontal runs of drain lines shall be at least six inches (6") above the floor, sloped toward floor sinks at a rate of one-quarter inch (1/4") per foot, and shall terminate at least one inch (1") above the overflow rim of the floor sink. Floor sinks shall be located so that they are readily accessible for inspection, cleaning, and repairs, and not located in a walkway. Waste lines shall not cross any aisle, traffic area, or door opening. Floor sinks are not permitted inside walk-in units unless they are indirectly connected to the sewer system through a legal air gap or an approved backflow prevention device, as approved by the director.

C. All plumbing, electrical, and gas lines shall be concealed within the wall, as practicable, mounted or enclosed so as to facilitate cleaning. Where it is impracticable, all runs must be at least one half inch (1/2") away from the walls or ceiling and a minimum of six inches (6") above the floor. Conduit or pipelines shall not be installed across any aisle, traffic area, or door opening. Multiple runs or clusters of conduit or pipelines shall be encased in an approved runway, or other enclosure approved by the director.

SECTION 30. Section 11.12.050 Sawdust on floors is hereby deleted in its entirety.

SECTION 31. Section 11.12.050 is hereby added to read as follows:

11.12.050 General sanitation – Vermin prevention.

A. Wholesale food establishments shall at all times be so constructed,

equipped, maintained, and operated so as to prevent the entrance and harborage of animals, birds, and vermin, including, but not limited to, rodents and insects.

B. All wholesale food establishment's interior premises, including all equipment and utensils, shall be kept clean, free from vermin, fully operative, and in good repair. Every wholesale food establishments shall be kept clean and free from litter, rubbish and garbage. All trash shall be properly confined in covered containers, and maintained free from flies, rodents, cockroaches and other vermin. All windows, doors and other openings shall be maintained in good repair at all times, and shall be provided with proper screens or other devices, maintained in good repair, and of such design and construction as will prevent the entrance of flies. The director may, for the protection of public health, regulate the size and design of fly-exclusion devices in a wholesale food processing establishment so that dust, flies and other insects will be excluded.

C. The exterior premises of every wholesale food establishment including docks, storage areas, areas where vehicles are loaded and unloaded, and driveways shall be properly drained and kept clean and free of litter or debris. The accumulation of any material, which may provide breeding or harborage areas for vermin, is prohibited. No condition, which may contribute to unsanitary conditions, shall be allowed on the premises of any wholesale food establishment.

SECTION 32. Section 11.12.060 is hereby amended to read as follows:

11.12.060 Lighting.

A. ~~That part of any room in a restaurant, itinerant restaurant, wholesale food establishment, or slaughterhouse, or children's camp in which food or drink is prepared, or in which utensils are washed, shall be well lighted, with a minimum light intensity of not less than 10 footcandles. That part of any room in which food is served shall have available, for the purpose of cleanliness or inspection, such facilities that will produce a minimum light intensity of not less than 10 footcandles, when measured at a point approximately 30 inches above the floor.~~ have sufficient lighting to produce an intensity of not less than 215 lux (20 foot-candles) as measured thirty inches (30") above the floor. Food and utensil storage areas and toilet rooms shall be provided with at least 108 lux (ten foot candles) of light as measured thirty inches (30") above the floor. ~~Food and utensil storage areas and toilet rooms shall be provided with at least four footcandles of light.~~

B. Lighting fixtures in all areas where food is prepared, processed, stored in opened containers, or packages, or in which utensils are cleaned, shall be protected against breakage through the use of plastic shields, plastic sleeves with end caps, shatterproof bulbs, or other approved device.

SECTION 33 Section 11.12.070 is hereby amended to read as follows:

11.12.070 Toilets, lavatories and dressing rooms.

A. All ~~restaurants, itinerant restaurants,~~ wholesale food establishments and ~~slaughterhouses~~ shall be provided with at least one toilet and one lavatory conveniently located therein or adjacent thereto. ~~Location of all such toilets shall first be approved by the director.~~ The director shall approve the location of all such toilets. Each toilet shall be located in a room other than a room in which food is processed, ~~prepared, stored,~~ cooked, served or sold. ~~In the case of itinerant restaurants only, toilets and lavatories required for the use of operators may, with the approval of the director, be located at places not over 300 feet distant from such restaurants.~~ Toilet facilities shall not open directly into a food processing area. As necessary, a vestibule shall be required to provide a space between a processing room and toilet room to prevent risk for contamination.

B. All such toilet rooms shall be provided with self-closing doors. All ~~operator~~ employees shall have access to such toilets. Toilet rooms shall be well ventilated and plumbed. The floors, walls, ceilings, lavatories and toilet bowls shall at all times be kept free from any accumulation of dirt, filth or corrosion, and in good repair. There shall be provided a lavatory or lavatories where every ~~operator~~ employee shall be required to wash his hands immediately before starting work and after using the toilet. Each lavatory shall be supplied with hot and cold running water, hand washing cleanser in dispensing devices, and individual towels together with a receptacle for their disposal. Hot air blowers may be substituted for individual towels in dispensers. Toilet tissue

shall be provided in a permanently installed dispenser at each toilet. Toilet rooms shall not be used for the storage of food, equipment, or supplies.

C. Where there are five or more ~~operator~~employees of different ~~sexes~~ genders, separate toilets and lavatories shall be provided for the persons of each ~~sex~~ gender. There shall be provided for the persons of each ~~sex~~gender at least one toilet for each multiple of 15 persons and for the remaining fraction of said multiple. Lavatories shall be provided upon the basis of one lavatory for each two toilets. Urinals may be substituted for toilets in such number as will not exceed one-half the number of toilets otherwise required. ~~Each lavatory shall be supplied with hot and cold running water, soap in permanently installed dispensing devices, and individual towels together with a receptacle for their disposal.~~

D. Where there are five or more ~~operator~~employees, ~~a room shall be provided where operators may change and store their outer garments. Such room shall be provided with self-closing doors, and shall be separated from toilet rooms, food storage rooms or food preparation areas. No person shall dress or undress or store his clothing in any room other than as provided herein. Clothes changing rooms shall be maintained in a clean and sanitary condition.~~ a separate dressing room with lockers shall be provided for each gender, where employees may change and store their outer garments. Such room shall be provided with self-closing, well fitting doors, and shall be separated from toilet rooms, food storage rooms or food preparation areas. No person shall dress or undress or store his clothing in any room other than as provided herein. Dressing rooms shall be maintained in a clean and sanitary condition.

E. When the number of lavatories for any food operation is inadequate or their location is such that the use of them by ~~operators~~employees will be inhibited, the director may order the installation of additional lavatories in such numbers, of such character and at such locations as will insure the protection of the public health.

SECTION 34. Section 11.12.080 Additional restroom facilities for public use required when is hereby deleted in its entirety.

SECTION 35. Section 11.12.080 is hereby added to read as follows:

11.12.080 Labeling.

Food which is packaged in a wholesale food establishment shall bear a label that complies with the labeling requirements prescribed by the Federal Food, Drug and Cosmetic Act and the Sherman Food, Drug and Cosmetic Act.

SECTION 36. Section 11.12.085 is hereby added to read as follows:

11.12.085 Shellstock Identification.

A. Shellstock shall be obtained in containers bearing legible source identification tags or labels that are affixed by the harvester and each dealer that depurates, ships, or reships the shellstock. Except as specified under subdivision C, on the harvester's or dealer's tag or label, the following information shall be listed in the following order:

1. The harvester's/dealer's name and address;
2. The harvester's certification number as assigned by the Shellfish Control Authority and the original shellstock shipper's certification number;
3. The date of harvesting;
4. The most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the Shellfish Control authority and including the abbreviation of the name of the state or country in which the shellfish are harvested;
5. The type and quantity of shellfish;
6. The following statement in bold, capitalized type: "This tag is required to be attached until container is empty or retagged and thereafter kept on file for 90 days;" and
7. The dealer's tag or label shall also indicate the original shipper's certification number including the abbreviation of the name of the state or country in which the shellfish are harvested.

B. A container of shellstock that does not bear a tag or label or that bears a tag or label that does not contain all the information as specified under subdivision (A) shall be subject to a hold order or seizure and destruction in accordance with federal law.

C. If the harvester's tag or label is designed to accommodate each dealer's identification, individual dealer tags or labels need not be provided.

D. When received by a food facility, shellstock shall be reasonably free of mud, dead shellfish, and shellfish with broken shells. Dead shellfish or shellstock with badly broken shells shall be discarded.

SECTION 37. Section 11.12.090 Ventilation is hereby deleted in its entirety.

SECTION 38. Section 11.12.090 is hereby added to read as follows:

11.12.090 Ventilation.

A. Approved ventilation shall be provided throughout the wholesale food establishment, to keep all areas reasonably free from excessive heat, steam, condensation, smoke, and vapor, and to provide reasonable comfort for all employees.

B. Toilet rooms, dressing, room and janitorial rooms shall be vented to the outside by means of a window that opens with a screen of not less than 16 mesh per square inch, or a light-switch activated exhaust fan. All construction and installation shall be in accordance with the applicable building and plumbing codes.

SECTION 39. Section 11.12.100 is hereby amended to read as follows:

11.12.100 Exhaust systems in cooking areas.

~~A. There shall be provided adequate and effective hoods and ducts leading to the outside air for all stoves, ranges, steam tables, grills, barbeques, french fryers and similar equipment in all food preparation areas to insure the collection of gases arising from such equipment, and to prevent grease and similar accumulations from~~

~~forming within such areas.~~ Adequate mechanical exhaust ventilation hoods shall be installed above all heating or cooking equipment where heat, smoke, steam, or vapor are released. Hoods shall extend at least six inches (6") horizontally beyond the equipment. The ducts shall be located in such a manner to prevent a public nuisance at the point of exhaust, and the hoods shall be constructed in such a manner as to prevent grease, moisture and other material from falling onto food preparation surfaces. ~~This requirement may be waived for individual items of equipment when, in the opinion of the director, other effective means of exhaust has been provided for removal of insanitary or obnoxious gases and materials from such equipment.~~ All equipment, construction, and installation shall be in accordance with all applicable building and mechanical codes. Exhaust systems shall be maintained in good repair and kept clean.

B. The provisions of this section shall not apply to cooking equipment when such equipment has been submitted to the director for evaluation, and it has been found that the equipment does not produce smoke, vapors, heat, or toxic gases when operated under conditions recommended by the manufacturer.

SECTION 40. Section 11.12.110 is hereby amended to read as follows:

11.12.110 Food preparation and storage areas--~~Use restrictions.~~

A. A room which is used for food preparation shall not be used for any purpose other than that connected with the preparation ~~and serving of~~ food, and shall not be used to hold equipment or any article which might impair the sanitary qualities of the area.

B. ~~Hawkers shall not use the food storage area of their vehicle for the carrying of any article that might impair the sanitary qualities of such area.~~ All wholesale food establishments shall be equipped with approved doors at all entrances into the food processing room(s), including entrances from the warehouse or storeroom. Any door to the processing room(s) shall not open directly to the outside unless otherwise approved by the director. As necessary, a vestibule shall be required to provide space between the exterior doors and processing room, to prevent the entrance of flies, rodents, and other vermin. Doors leading to the food processing room shall be maintained closed during processing or packaging of food.

SECTION 41. Section 11.12.120 is hereby amended to read as follows:

11.12.120 ~~Live animals and fowl prohibited~~ — ~~Exceptions.~~ Animals, birds and fowl.

A. No live animal, bird, or fowl shall be kept or allowed in any restaurant, wholesale food establishment, ~~itinerant restaurant, slaughterhouse or hawker's vehicle~~ where ~~there exists any possibility of food contamination, whether directly or indirectly, or which animal or fowl produces disagreeable or obnoxious odors, except that this section shall not apply to premises exclusively devoted to the slaughter of animals or fowl for food, nor shall this section apply to dogs being used by the blind.~~ food is prepared, manufactured, kept, stored, distributed, offered for sale, or sold unless such food establishment is exclusively devoted to the slaughter and processing of such animal or fowl.

B. This section shall not apply to dogs used by the blind, signal dogs, service dogs, such dogs in training under proper supervision, dogs under the control of uniformed law enforcement officers, or dogs under the control of uniformed employees of a private patrol service who are licensed pursuant to Chapter 11 (commencing with section 7580) of Division 3 of the Business and Professions Code, while acting within the course and scope of their employment as private patrolmen.

C. The dogs described in section B shall be excluded from food processing and utensil wash areas.

SECTION 42. Section 11.12.130 is hereby amended to read as follows:

11.12.130 Equipment -- Design and installation ~~restrictions~~.

A. No processing, preparing, ~~or~~ storing ~~or serving~~ equipment shall be installed, constructed or used unless it is of such material, design and construction, and is so installed ~~and arranged to be readily cleanable, and so that the surrounding area can be properly cleaned~~ and maintained as to facilitate the cleaning of the equipment and of all adjacent spaces. Those facilities that have developed, implemented and maintained approved Sanitation Standard Operating Procedures may be granted exemption by the director.

B. Food contact surfaces shall be corrosion resistant when in contact with food; made of nontoxic materials; and designed to withstand repeated washing.

C. Equipment shall be maintained clean and in good repair.

SECTION 43. Section 11.12.140 is hereby amended to read as follows:

11.12.140 Equipment -- Standards for health and sanitation.

The director may adopt rules and regulations interpreting health and sanitation requirements for equipment to be installed in ~~restaurants, itinerant restaurants and~~ wholesale food establishments, ~~and for vending machines,~~ and in doing so shall consider and may adopt ~~nationally recognized standards. When the director required that equipment shall comply with such specified standards, no person shall install or use newly installed equipment which does not comply with such standards, or their equivalent.~~ those national standards which are certified or classified for sanitations by an American National Standards Institute accredited certification program. When the director requires that equipment comply with such specified standards, no person shall install or use newly installed equipment that does not comply with such standards, or their equivalent. In the absence of any applicable ANSI certified sanitation standard, food and utensil related equipment shall be evaluated for approval by the department.

SECTION 44. Section 11.12.150 is hereby amended to read as follows:

~~11.12.150 Equipment -- Plans, drawings and other data required when --~~
Compliance with specifications. Equipment and Buildings -- Plans, date and specifications.

A. The director ~~may~~shall require from the owner ~~or~~/ operator, submission of the following data pertaining to construction or remodeling; the installation of new

equipment; or when a facility has closed and remained closed for a period of ninety (90) days or more:

1. ~~Two copies of a scale drawing or dimensioned sketch~~Three (3)
complete sets of easily readable plans, drawn to scale showing floor plan. The plans shall indicate the location of all floor drains, floor sinks and plumbing fixtures; lighting; equipment specifications; mechanical exhaust/ventilation plans including make-up air system; finish schedule for floors, walls, and ceilings that indicate the type of material, the surface finish, the color, and the type of coved base at the floor-wall juncture; the location of all fixed food-storage, preparation and processing equipment, furnishings and machinery. If a facility is to be a wholesale food processor, a general description of the type of food(s) and the methods of processing shall be included. Such specifications, forms, data and drawings, in triplicate, are necessary to ensure that the design, materials, method of construction and installation of equipment for food processing, preparation, storage or utensil-washing meet all applicable sanitation standards and requirements. showing the location of all fixed food storage, preparation and processing equipment, furnishings and machinery, and the location of floor drains and floor sinks;

2. ~~Such specifications, forms, data, drawings and sketches, in duplicate, as are necessary to indicate that the design, materials, method of construction and installation of equipment for food processing, preparation, storage or utensil washing meet applicable sanitation standards and requirements.~~The plans shall be approved or rejected within twenty (20) business days after receipt by the director

and the applicant shall be notified of the decision. Unless the plans are approved or rejected within 20 business days, they shall be deemed approved. A building permit for a food establishment shall not be issued until after the director has approved the plans.

B. ~~When the director requires submission of plans and data concerning food equipment, no person shall install or use~~It shall be unlawful for any person to construct or make any additions or modifications or to operate any equipment in a newly constructed or reconstructed establishment until the plans and specifications have been approved in writing by the director for such installation or operation. All such equipment and its installation shall be in accordance with the approved plans and specifications unless modifications and changes therefrom have been approved by the director, in which case the equipment and its installation shall be in accordance with such approved modified plans and specifications.

SECTION 45. Section 11.12.160 Sinks required when is hereby deleted in its entirety.

SECTION 46. Section 11.12.160 is hereby added to read as follows:

11.12.160 Sink requirements.

A. There shall be provided in every wholesale food establishment, where food is prepared or packaged or where utensils are used, a sink with at least three compartments with two integral metal drain boards sloped towards the sinks. The sink compartments and drainage facilities shall be large enough to accommodate the largest

utensil or piece of equipment to be cleaned therein. A one-compartment or two-compartment sink that was in use on January 1, 2005, may be continued in use until replaced due to disrepair, deterioration, or both; change in food handling operation; remodeling requiring building permits; or as necessitated based on performance.

B. There shall be provided in every room in which food is prepared at least one lavatory supplied with water from a pre-mixing faucet that supplies warm water (100°F) for a minimum of 10 seconds while both hands are free for washing; hand washing cleanser in dispensing devices; individual single-use towels provided in dispenser; and a receptacle for towel disposal at, or adjacent to, hand washing facilities. Hot-air blowers may be substituted for individual towels in dispensers. Additional lavatories may be required by the director to ensure hand washing facilities are readily available for employees.

C. There shall be provided at least one food preparation sink, separate from any other sink, in every room in which food is prepared, for thawing frozen food under cold running water, washing or soaking food, or other processes as determined by the director. This sink shall drain by means of indirect waste pipes through an air gap into an open floor sink or other approved type of receptor that is properly connected to the drainage system. Food establishments operating prior to January 1, 2005, may continue to operate without a food preparation sink until remodeling occurs, requiring building permits, change in the food handling operation, or as necessitated based on performance.

D. There shall be provided in every wholesale food establishment where food is prepared, packaged, or stored, a room, area, or cabinet for the storage of cleaning equipment and supplies. Such room, area, or cabinet shall be separated from any food preparation, packaging, or utensil washing or storage area and at least one of the following is to be used exclusively for general cleaning purposes and for the disposal of mop bucket wastes and other liquid wastes:

1. A one-compartment, nonporous janitorial sink.
2. A slab, basin, or floor constructed of concrete or equivalent material, curbed and sloped to a drain. Such facilities shall be connected to approved sewerage and provided with hot and cold running water through a mixing valve and protected with a backflow protection device.

SECTION 47. Section 11.12.170 Refrigerator drains is hereby deleted in its entirety.

SECTION 48. Section 11.12.170 is hereby added to read as follows:

11.12.170 Sanitization – Methods and testing.

A. All wholesale food establishments in which food is prepared or in which multi-use utensils are used shall provide manual or mechanical methods to effectively clean and sanitize utensils.

B. Manual or mechanical sanitization shall be accomplished in the final sanitizing rinse by one of the following methods:

1. Hot water manual operations by immersion for at least 30 seconds where the water temperature is maintained at 171°F or above.

2. Hot water mechanical operations by being cycled through equipment that is used in accordance with the manufacturer's use and achieving a utensil surface temperature of 160°F as measured by an irreversible registering temperature indicator;

3. Chemical, manual, or mechanical, by immersion, manual swabbing, brushing, or pressure spraying methods, using one of the following solutions:

(a) Contact with a solution of 100 ppm available chlorine solution for at least 30 seconds.

(b) Contact with a solution of 25 ppm available iodine for at least one minute.

(c) Contact with a solution of 200 ppm quaternary ammonium for at least one minute.

(d) Contact with any chemical sanitizer that meets the requirement of all applicable federal laws and regulations when used in accordance with the manufacturer's suggested directions for use as specified on the product label.

4. Other methods as approved by the director.

C. Testing equipment and materials shall be provided by the wholesale food establishment to adequately measure the applicable sanitization method.

SECTION 49. Section 11.12.180 Steam tables is hereby deleted in its entirety.

SECTION 50. Section 11.12.180 is hereby added to read as follows:

11.12.180 Liquid waste and sewage.

A. Sewage shall be disposed into an approved sewerage system.

Wastewater disposal shall comply with National Pollutant Discharge Elimination System (NPDES) and local wastewater treatment district standards.

B. No drain from any refrigerator, freezer or icebox used for the storage, preparation or display of food shall be connected directly to any sewer.

C. All icemakers shall be located within the food establishment. Condensate and ice melt shall be drained to an approved floor sink by means of an indirect connection.

SECTION 51. Section 11.12.190 is hereby amended to read as follows:

**11.12.190 Contamination of food ~~preparation surfaces or equipment~~
contact surfaces.**

A. ~~A~~No person shall ~~not~~ sit upon, lie upon, or do any other act which will contaminate, or in the ordinary course of events will be likely to contaminate, any surface or piece of equipment which is used in the storage, processing or preparation of food in any restaurant, itinerant restaurant, any wholesale food establishment, ~~hawker's vehicle, slaughterhouse or children's camp.~~

B. All utensils and equipment, including food contact surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination of food and prevent the breeding and harborage of vermin. Those facilities that have developed, implemented, and maintained approved Sanitation Standard Operating Procedures may be granted exception by the director.

C. CIP equipment shall meet the characteristics of a food contact surface and shall be designed and constructed so that cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food contact surfaces. The system is to be self-draining or capable of being completely drained of cleaning and sanitizing solutions. CIP equipment that is not designed to be disassembled for cleaning shall be designed with inspection access points to ensure that all interior food contact surfaces throughout the fixed system are being effectively cleaned.

D. Adequate and suitable space shall be provided for the storage of cleaned utensils and equipment in a clean and dry location where they are not exposed to splash, dust, or other contaminations, at least 6" above the floor.

E. Cans, jars, barrels, drums, other containers, lids, and covers shall be clean when used to package food products.

SECTION 52. Section 11.12.200 Single-service utensil – Defined - Use and disposal is hereby deleted in its entirety.

SECTION 53. Section 11.12.200 is hereby added to read as follows:

11.12.200 Single-use utensils.

Single-use utensils shall be obtained only in sanitary containers or approved sanitary dispensers, stored in a clean, dry place until used, handled in a sanitary manner, and used once only. After being used only once, such utensils shall be discarded in such a manner as to prevent the attraction of flies, roaches, rodents, and other vermin, and to prevent a public nuisance.

SECTION 54. Section 11.12.210 Multiple use utensils – Defined - Composition and use restrictions is hereby deleted in its entirety.

SECTION 55. Section 11.12.210 is hereby added to read as follows:

11.12.210 Multiple-use utensils.

Multiple-use utensils shall be made of non-toxic, non-corrosive materials; shall be constructed, installed and maintained to be easily cleanable; and shall be kept clean and in good repair. Any containers designed for use a single time shall not be considered a multi-use utensil and shall not be refilled with food that is to be or may be used for human or animal consumption.

SECTION 56. Section 11.12.220 is hereby amended to read as follows:

11.12.220 Utensils -- Bacteria count limit.

An operator shall not possess, in a wholesale food establishment ~~restaurant, itinerant restaurant, temporary refreshment stand or children's camp,~~ any glass, cup, dish, piece of silverware or any other utensils intended for, and ready for use in, serving food and drink, upon which the bacterial count, as taken in a manner approved by the director, exceeds 100 organisms per surface of the utensil examined.

SECTION 57. Section 11.12.230 is hereby amended to read as follows:

11.12.230 Foods— Sanitation requirements ~~generally.~~

A. It is unlawful to transport, store, display, dispense, prepare, offer for sale or gift, or handle in any way, food or drink intended for human or animal consumption, unless such food or drink is ~~clean, fit for human consumption and free of spoilage, pure,~~ free from contamination, adulteration and spoilage. Food shall have been obtained from approved sources; shall be inspected upon delivery; and shall otherwise be fit for human or animal consumption. All food shall be kept in such manner as to be ~~protected~~ such food or drink from exposure to dust, droplet contamination, overhead leakage and condensation, flies and other insects, rodents and vermin, and any other deleterious or unhealthful substance or condition.

B. ~~Every restaurant, itinerant restaurant, food establishment and slaughterhouse shall be kept clean and free from litter, rubbish and garbage, which shall be properly confined in covered containers, as provided in other sections of this Division~~

~~1, and maintained free from flies, rodents, cockroaches and other vermin. All windows, doors and other openings shall be maintained in good repair at all times, and shall be provided with proper screens or other devices, maintained in good repair, and of such design and construction as will prevent the entrance of flies. The director may, for the protection of public health, regulate the size and design of fly exclusion devices in any restaurant, itinerant restaurant, food establishment, temporary refreshment stand or slaughterhouse so that dust, flies and other insects will be excluded. Every storage room or other place used for storing food or food ingredients shall be equipped with platforms, racks or shelves at least 6 inches above the floor surface, unless such food is enclosed in waterproof, rodent proof containers to facilitate the flushing of floors and walls, with water or other cleaning method.~~

C. ~~Unpackaged, ready to eat food, displayed upon buffet tables, in smorgasbord or other similar fashion, by restaurants, itinerant restaurants or food demonstrators, shall be protected by glass or other impervious materials so placed as to shield such food from contaminants orally emitted by customers. Such shields shall be constructed in such manner as to be easily cleaned and without exposed rough or sharp edges. All open bulk food shall be stored in approved containers (certified or classified for sanitation by an American National Standards Institute accredited certification program) with tight fitting lids, labeled to indicate contents.~~

D. ~~Every storage room or other place used for storing or keeping any foods, food products, or ingredients therefore that may be damaged or contaminated by water or moisture shall be equipped with platforms, racks or shelves, not less than six inches~~

~~above the floor, suitable for holding such materials. No foods, food products or ingredients therefore shall be deposited or allowed to remain within six inches of the surface of any floor unless such food is completely enclosed in waterproof and rodent proof containers. All storage racks and equipment for the storage of food and food products shall be so constructed, and all sacks, boxes and other food containers shall be so arranged as to permit and facilitate the flushing with water, or other cleaning, of storage room floors and walls. All food or food products shall be so stored as to prevent the harborage of rodents. When ice is used in contact with food, it shall be made from water that is safe and of adequate sanitary quality and shall be used only if it has been manufactured in accordance with 21 Code of Federal Regulation 110, Current Good Manufacturing Practices, as it currently exists or hereafter may be amended.~~

~~E. — The retail vending of potentially hazardous food, as defined in Health and Safety Code Section 113847, from other than a "food establishment" as defined in Los Angeles County Code, Title 11, Section 11.02.260, is hereby prohibited.~~

SECTION 58. Section 11.12.240 Foods - Storage temperatures is hereby deleted in its entirety.

SECTION 59. Section 11.12.240 is hereby added to read as follows:

11.12.240 Foods -- Storage temperatures.

A. All potentially hazardous foods shall be kept at 45°F or lower, or 135°F or higher, at all times whether such food is being transported, stored, displayed, or offered

for sale or gift. An accurate easily readable metal probe thermometer suitable for measuring the temperature of food shall be readily available on the premises.

B. Every refrigerator used for the storage of potentially hazardous food shall be provided with a thermometer accurate to plus or minus 2°F and shall be located to indicate the air temperature in the warmest part of the unit and shall be affixed to be readily visible.

C. Potentially hazardous food that has been heated or foods that have been made potentially hazardous by preparation shall be rapidly cooled to 45°F or below, in a manner approved by the county health officer, if not held at or above 135°F.

D. Potentially hazardous foods that have been removed from approved holding for processing shall be involved in diligent preparation and returned to approved holding temperatures within two hours following completion of said task.

E. Frozen potentially hazardous food shall only be thawed using one of the following methods:

(1) Under refrigeration that maintains the food temperature at 45°F or below; or

(2) Completely submerged under potable running water for a period not to exceed two (2) hours:

(a) At a water temperature of 70°F or below; and,

(b) With sufficient water velocity to agitate and flush off loose particles into the sink drain; or

- (3) In a microwave oven if immediately followed by preparation; or
- (4) As part of a cooking process.

F. Frozen food that has been thawed shall be cooked or otherwise processed before it may be refrozen.

G. Potentially hazardous food may be held at temperatures other than those specified in this section when the facility operates according to an approved HACCP plan adopted pursuant to section 11.12.005.

SECTION 60. Section 11.12.250 Foods - Display must be 24 inches above floor is hereby deleted in its entirety.

SECTION 61. Section 11.12.250 is hereby added to read as follows:

11.12.250 Foods – Storage.

- A. Adequate and suitable space shall be provided for the storage of food.
- B. Except for large or bulky containers, all food shall be stored at least 6 inches above the floor surface or under conditions that are approved by the director. Containers may be stored on dollies, racks, or pallets not meeting the height requirement, if the dollies, racks or pallets are easily moveable. Pallet jacks, fork lifts or similar equipment must be available on site for this purpose.
- C. All cartons, boxes, or other materials used in the packaging of any food shall be protected at all times from dirt, vermin, and other forms of contamination or adulteration.

D. A space of adequate width shall be provided between food storage racks, shelves, and pallets, and the walls or equipment, to permit employees to perform their duties, maintain cleanliness, and for inspecting on a regular basis for vermin or evidence of vermin.

SECTION 62. Section 11.12.260 Drugs and poisonous materials - Storage and use restrictions is hereby deleted in its entirety.

SECTION 63. Section 11.12.260 is hereby added to read as follows:

11.12.260 Hazardous materials.

Cleaning compounds, sanitizing agents, pesticides, or other hazardous materials shall be identified, held, used, and stored in a manner that protects against the contamination of food, food contact surfaces, or food packaging materials.

SECTION 64. Section 11.12.270 Employees - Personal cleanliness requirements is hereby deleted in its entirety.

SECTION 65. Section 11.12.270 is hereby added to read as follows:

11.12.270 Employee practices.

A. No employee shall commit any act, which may result in contamination or adulteration of any food, food contact surface, food packing material, utensil, or equipment.

B. Any employee who by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesions, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination by which there is a reasonable possibility of food, food contact surfaces, or food packaging materials becoming contaminated, shall be restricted from working with exposed food, clean utensils, linens, and unwrapped single-use articles; and may be excluded from any operations which may be expected to result in such contamination until the condition is corrected. Employees shall be instructed to report such health conditions to owner/operator.

C. All employees shall wash hands thoroughly at an approved hand washing facility before starting work, after each absence from the workstation, before donning gloves for working with food and at any other time when the hands may have become soiled or contaminated. Signs directing the employees to wash their hands shall be posted in each toilet room and in all other areas where employees wash their hands.

D. All employees, while engaged in the preparation of food or the washing of utensils, shall wear clean, washable outer garments; shall keep their hands and fingernails clean; shall wear hairnets, caps or other suitable coverings to confine all hair; shall not engage in or permit the use of tobacco in any form; shall not permit the discharge of any substance from the mouth, nose or other part of the body; and shall not eat food, chew gum or drink beverages in areas where food is prepared, processed, packed, stored or where equipment or utensils are washed or stored. Hair-brushing or combing shall not be permitted in any wholesale food establishment except in a toilet

room or dressing room, separate from any room in which food is prepared or in which utensils are washed.

E. Gloves shall be worn when contacting food and food surfaces if the employee has any cuts, sores, rashes, artificial nails, nail polish, rings, uncleanable orthopedic support devices, or fingernails that are not clean, neatly trimmed, and smooth. All employees shall maintain gloves, if they are used in food handling, in an intact, clean and sanitary condition. The gloves shall be of an impermeable material, used for a single food handling operation only, and not reused. A clean pair of gloves shall be used at the start of work, when resuming work after an absence from the workstation, and at any other time when the gloves may have become soiled or contaminated.

F. In all areas where food is prepared, processed, or packaged, all employees shall remove all unsecured jewelry and other objects that might fall into food, equipment, or containers, and remove hand jewelry that cannot be adequately sanitized during periods in which food is manipulated by hand. If such hand jewelry cannot be removed, it may be covered by material which can be maintained in an intact, clean, and sanitary condition and which effectively protects against the contamination by these objects of the food, food contact surfaces, or food packaging materials.

G. All employees shall store clothing or other personal belongings, including medicines, cosmetics, drugs, and toilet articles, in areas other than where food is exposed or where equipment or other utensils are washed.

SECTION 66. Section 11.12.280 Soiled linen or clothing is hereby deleted in its entirety.

SECTION 67. Section 11.12.280 is hereby added to read as follows:

11.12.280 Linen and clothing.

A. Adequate and suitable space shall be provided for the storage of clean linens, including apparel, towels, and wiping cloths.

B. Soiled linens, coats and aprons shall be kept in cleanable, labeled containers provided for the purpose, and shall not be reused until they have been laundered or cleaned. No linen that has been used for any other purpose since laundering shall be used for wiping utensils, counters or equipment, or for contact therewith.

C. Wiping cloths used to wipe equipment and other surfaces that may directly or indirectly contact food shall be used only once until laundered, or if held in a sanitizing solution of concentration as stated in Section 11.12.170 when not wiping, may be used repeatedly. Whenever a sanitizing solution becomes turbid or heavily permeated with food particles and juices, or no longer meets a concentration as stated in Section 11.12.170, it shall be replaced.

SECTION 68. Section 11.12.290 Carrying children in food baskets - Restrictions is hereby deleted in its entirety.

SECTION 69. Section 11.12.290 is hereby added to read as follows:

11.12.290 Sleeping accommodations prohibited.

No sleeping accommodations shall be maintained or kept in any room where food is prepared, processed, stored, distributed, or sold.

SECTION 70. Section 11.12.300 Reuse of food is hereby deleted in its entirety.

SECTION 71. Section 11.12.310 Accidents which make food unwholesome – Notice to director required when is hereby deleted in its entirety.

SECTION 72. Section 11.12.310 is hereby added to read as follows:

11.12.310 Incidents that render food unwholesome.

A. The operator of every wholesale food establishment after the occurrence of an incident which creates a hazard to the safety, sanitation or wholesomeness of any food or drink, shall notify the director forthwith. This section applies to any food or drink that is intended for consumption by any human or animal.

B. The wholesale food establishment operator shall provide the following information to the director upon request to assist in tracing the source of pathogens and in preventing the spread of foodborne illness: an e-mail address or facsimile number, emergency phone number and hours of operation.

C. The wholesale food establishment operator shall provide the following information to the director upon request to assist in the recall or trace-back of foods found to be hazardous or unwholesome for human or animal consumption: Source of all product ingredients; complete distribution list including name, address and contact information; and product identification information (e.g. batch #, lot #, product coding, etc.).

SECTION 73. Section 11.12.320 Foods – Quarantine required when is hereby deleted in its entirety.

SECTION 74. Section 11.12.330 Sandwiches, box lunches and other prepared foods – Dating and labeling requirements is hereby deleted in its entirety.

SECTION 75. Section 11.12.340 Itinerant restaurants – Regulations applicable is hereby deleted in its entirety.

SECTION 76. Section 11.12.350 Itinerant restaurants and temporary refreshment stands – Location of operation – Time limits is hereby deleted in its entirety.

SECTION 77. Section 11.12.360 Temporary refreshment stand – Restrictions authorized when is hereby deleted in its entirety.

SECTION 78. Section 11.12.370 is hereby renumbered and amended to read as follows:

11.12.370320 Dairy employees -- Health examination requirements.

A. It shall be the duty of each dairyman or manager of any place where milk is prepared, bottled or pasteurized, whenever a system of medical examination of all employees has been established under state or local laws, to maintain a registry of the results of all such examinations. Such registry shall show the name, age and sex of each person, the date of the last examination and the result thereof, together with such other data as the ~~director~~county health officer may require in the enforcement of this Division 1.

B. It shall be the duty of the owner of such dairy or other similar institution to keep such registry, at all times up-to-date and open to inspection by the director.

SECTION 79. Section 11.12.380 is hereby renumbered as follows:

11.12.380330 Milk and cream -- Pasteurization required when.

A. No market milk and no market cream may be sold, served, offered or exposed for sale, or delivered for human consumption, unless it is pasteurized.

B. Exemptions. The provisions of this section shall not apply to:

1. Certified milk or cream;
2. Guaranteed raw milk;
3. Grade A raw milk;

4. The delivery or sale of milk to wholesalers or to pasteurization plants for the purpose of being pasteurized.

C. Definitions. The meanings of the terms, "market milk," "market cream," "pasteurized," "pasteurization," "certified milk," "certified cream," "guaranteed raw milk," and "Grade A raw milk" as used in this section, shall be as defined in the Food and Agricultural Code of California.

SECTION 80. Section 11.12.390 Slaughterhouse requirements is hereby deleted in its entirety.

SECTION 81. Section 11.12.400 is hereby renumbered and amended to read as follows:

11.12.400340 Impoundment of food equipment or utensils and quarantine.

A. The director, based upon inspection findings or other evidence and for the protection of the public health, may do any of the following:

1). Impound and, if deemed necessary, destroy any food that is found to be, or is suspected of being, contaminated or adulterated.

2). Impound equipment or utensils that are found to be unsanitary or in such disrepair that food, equipment or utensils may become contaminated or adulterated. The director may attach a tag to such food, equipment or utensils that shall be removed only by the director following verification that the condition has been corrected.

B. No food, equipment, or utensil impounded shall be used unless the impoundment has been released.

C. Food which is contaminated, unfit for human or animal consumption or found to be dangerous to public health, shall be ordered quarantined or destroyed by the director. If quarantined, instructions shall be given to the person who controls such food as to the condition of the quarantine. It is unlawful for such person to make any disposition of such food other than that ordered by the director.

D. The provisions of Section 2080.6 of the Civil Code, regarding unclaimed property, shall apply whenever the director impounds any unsanitary food equipment or equipment that is in such disrepair that food, equipment, or utensils may become contaminated or adulterated. If any impounded equipment remains unclaimed for a period in excess of 30 days, the equipment shall be held no less than three months from date of impoundment, and thereafter may be sold by the purchasing agent or retained for a public use. If the equipment is claimed by its owner, the owner shall pay a reasonable charge as set forth in the Los Angeles County Code, Title 8, to defray costs of storage ~~and care~~ of the equipment.

SECTION 82. Chapter 11.13 Cleaning and Storage of Retail Food Vehicles is hereby deleted in its entirety.

SECTION 83. Chapter 11.13 is hereby added as follows:

11.13 Independent Wholesale Vehicles.

SECTION 84. Section 11.13.010 is hereby added to read as follows:

11.13.010 Definitions.

The following words and phrases shall apply to this chapter irrespective of their use in other Chapters of Part 1 of this Title:

A. "Independent Wholesale Food Vehicle" means any vehicle, not owned by the shipper or receiver, that is used to transport food from a warehouse, manufacturer, distributor, or other wholesale provider for delivery to a retailer, warehouse, distributor, or other destination. An independent wholesale food vehicle shall not be permitted to conduct sales at the retail level. An independent wholesale food vehicle originating outside of the jurisdiction of the director, which has been inspected by the health officer at the jurisdiction of origin and which bears an identification that the jurisdiction of origin has issued a public health permit, shall not be required to obtain a public health license from Los Angeles county under this chapter.

B. "Approved" means approved by the director based upon a determination of conformity with applicable laws, current public health principles, practices, and generally recognized industry standards that protect the public health subject to annual certification.

SECTION 85. Section 11.13.020 is hereby added to read as follows:

11.13.020 Requirements for independent wholesale food vehicle storage facilities.

A. Adequate facilities shall be provided for the sanitary disposal of liquid

waste from the wholesale food vehicle.

B. Adequate facilities shall be provided for the sanitary disposal of garbage and rubbish originating from the wholesale food vehicle.

C. Hot and cold water, under pressure, shall be available for cleaning the wholesale food vehicle.

SECTION 86. Section 11.13.030 is hereby added to read as follows:

11.13.030 Requirements for wholesale food vehicles.

A. The compartments in which food is carried on wholesale food vehicles shall be enclosed and the exterior doors and windows shall be tightly fitted to prevent the entrance of dust, dirt, moisture, or vermin.

B. The floor shall be of non-corrosive, nontoxic metal, or other approved material, extending at least 4 inches (4") up the side of the compartment. Tight-fitting, nonabsorbent hardwood flooring may be used when only dry food products are transported. The interior floor, sides, and top of the food compartment shall be free from cracks, seams, or linings where vermin may harbor, and shall be constructed of a smooth, washable, impervious material capable of withstanding frequent cleaning with acceptable sanitizing agents, including steam. Slide rails, hooks, shelves, racks, and similar equipment shall be constructed of a nontoxic, non-corrosive, easily cleanable material, and shall be so installed as to be readily accessible or easily removable for cleaning. Vehicles shall be so constructed that no liquid wastes from the food compartment can drain onto any street, sidewalk, or premises.

C. All food compartments used to hold potentially hazardous foods shall be provided with an approved mechanism capable of maintaining potentially hazardous foods at or below 45°F or at or above 135°F during transportation.

SECTION 87. Section 11.13.040 is hereby added to read as follows:

11.13.040 Requirements for food vehicle identification.

The name, address, and telephone number of the owner/operator, permittee, or business name shall be legible, clearly visible, and permanently indicated on at least two sides of the exterior of the vehicle. The name shall be at least three inches (3") high and shall have strokes at least three-eighths inch (3/8") wide, and shall be of a color contrasting with the vehicle exterior. Letters and numbers for the address and telephone number shall not be less than one inch high.

SECTION 88. Section 11.13.050 is hereby added to read as follows:

11.13.050 Food vehicle temperature requirements.

All potentially hazardous foods being transported in food compartments shall be held at a temperature at or below 45°F or at or above 135°F. If frozen foods are carried, the food temperature shall be maintained at 5°F or below. An accurate device for measuring temperature shall be maintained inside the food compartments where potentially hazardous foods are held.

SECTION 89. Section 11.13.060 is hereby added to read as follows:

11.13.060 Food protection.

A. No person shall carry, transport, or convey any food for commercial purposes unless such food is protected from all contamination. No food shall be carried in the driver's or passenger's compartment of any wholesale food vehicle.

B. All unpackaged food shall be contained, suspended, or handled so that it does not come into actual contact with the floor, walls, or ceiling of the vehicle or with the clothing of persons who load or unload food product. All unpackaged food shall be loaded and unloaded using a manner that protects the food.

C. All unpackaged food shall be contained, suspended, or handled so that it does not come into actual contact with the floor, walls, or ceiling of the vehicle or with the clothing of persons who load or unload food product. All unpackaged food shall be loaded and unloaded in a manner that protects the food at all times.

D. All vehicle food compartments shall be maintained clean, sanitary, and in good repair.

E. The doors to the food compartment shall be kept tightly closed at all times, except when loading or unloading food.

F. No person shall carry, transport, or convey pesticides, poisons, or other chemicals in the same compartment of a vehicle with food products, feed, or other material intended for consumption by humans or animals.

SECTION 90. Section 11.13.070 is hereby added to read as follows:

11.13.070 Exemptions.

Private individuals transporting food for personal use are exempted from the provisions of this chapter.

SECTION 91. Section 11.13.080 is hereby added to read as follows:

11.13.080 Certification decal for approved vehicles.

Independent wholesale food vehicles that conform to the requirements of this article, that have been inspected and approved by the director, and for which the required health permit fee has been paid, shall be provided with a certification decal which shall be affixed to a clearly visible area on the left side of the rear portion of the vehicle. It shall be unlawful to operate an independent wholesale food vehicle without a certification decal. It shall be unlawful to deface, modify, duplicate, camouflage, or falsify this decal.

SECTION 92. Section 11.16.080 Vending operations – Waste disposal responsibility is hereby deleted in its entirety.

SECTION 93. Chapter 11.18 Hawkers is hereby deleted in its entirety.

SECTION 94. Section 11.20.250 Kitchens – Boarding house requirements is hereby deleted in its entirety.

SECTION 95. Section 11.20.340 Dwelling – Maintenance required – Abatement of nuisances is hereby deleted in its entirety.

SECTION 96. Section 11.24.010 is hereby amended to read as follows:

11.24.010 Applicable provisions designated -- Interpretation of language.

A. Institutions shall comply with the provisions of this chapter, and Chapters 11.14, 11.16, 11.30, 11.32, and Sections 11.02.150, 11.02.180 through 11.02.200, 11.02.280, 11.02.300, ~~11.12.030~~, 11.20.020 and 11.20.170 and other sections of this Division 1, except Chapter 11.04 and Part 1 of Chapter 11.02, as specifically mentioned herein.

B. For the purpose of this chapter, certain words and phrases are defined and certain provisions shall be construed as herein set forth, unless it is apparent from the context that a different meaning is intended.

SECTION 97. Section 11.24.120 is hereby amended to read as follows:

11.24.120 Employees' quarters -- Applicable regulations designated.

Employees' quarters shall be maintained in a clean sanitary condition, and shall comply with the provisions of Sections 11.20.050, 11.20.090, 11.20.140, 11.20.160, 11.20.170, 11.20.190, 11.20.210 through 11.20.240, 11.20.280 through 11.20.310, 11.20.330, ~~11.20.340~~ and 11.24.010. One toilet, one lavatory, and one bath or shower for each 10 employees or fraction thereof, of each sex shall be maintained in such employees' quarters.

SECTION 98. Section 11.38.570 is hereby amended to read as follows:

11.38.570 Facilities required -- Business establishments and public gatherings.

...

C. Nothing in this section requires the making of structural alterations, repairs, remodels, modifications, or additions not otherwise required by applicable local, state and/or federal law.

D. Every restaurant or itinerant restaurant where alcoholic beverages are sold or given away for consumption on the premises shall be provided with, for the use of the public, at least one urinal for men, one water flush toilet for each sex, and at least one lavatory in conjunction with and convenient to each water flush toilet. If, in the

opinion of the director, the number of urinals, water flush toilets or lavatories is inadequate, such additional facilities as he shall deem necessary shall be provided. There shall be adequate space provided in each toilet room to permit the use of these facilities without overcrowding.

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COUNTY OF LOS ANGELES

Public Health

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July 28, 2007

LEGAL NOTICE OF HEARING

TO: Sachi A. Hamai
Executive Officer
Board of Supervisors

FROM: Department of Public Health

SUBJECT: **PUBLISHING NOTICE OF PUBLIC HEARING ON THE PROPOSED TITLE 8
AND TITLE 11 PUBLIC HEALTH PERMIT FEE FOR WHOLESALE FOOD
COMPLEXES**

Section 66018 of the California Government Code requires that prior to adopting a new fee, a local agency shall hold a public meeting as part of a regularly scheduled meeting. Notice of the time and place of the public meeting, including a general explanation of the matter to be considered shall be published in accordance with Section 6062(a). Section 6062(a) states the publication of notice pursuant to this section shall be for 10 days in a newspaper regularly published once a week or more often. The period of notice commence upon the first day of publication and terminates at the end of the tenth day, including therein the first day.

Therefore the County of Los Angeles, Department of Public Health, respectfully requests that the Executive Office of the Board of Supervisors publish the provided Notice of Public Hearing on the Wholesale Food Complex Fee, with the County's contracted newspaper to be in compliance with the above sections of the Government Code.

Please contact me at (213) 240-8156, if you need additional information.

JS:gi

**NOTICE OF PUBLIC HEARING
ON PROPOSED PUBLIC HEALTH PERMIT FEE FOR
WHOLESALE FOOD COMPLEXES**

Notice is hereby given that the Board of Supervisors will hold a public hearing regarding the following:

- Establishing health and sanitation standards for wholesale food establishments and independent wholesale food vehicles;
- Establishing a permit fee for wholesale food complexes; and
- Establishing a wholesale food safety certification standards.

Said hearing will be on July 24, 2007, at 9:30 a.m., in the Hearing Room of the Board of Supervisors, Room 381, Hall of Administration, 500 West Temple Street (corner of Temple and Grand) Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the new fee. Further notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need information, please call the Department of Health Services, Public Health, at (213) 240-8156.

Si no entiende esta noticia o si necesita más información, por favor llame a este número (213) 240-8156.

Sachi A. Hamai
EXECUTIVE OFFICER – CLERK OF
THE BOARD OF SUPERVISORS